

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: LOUISE TELERICO
Debtor

CASE No. 17-50236
JUDGE ALAN M. KOSCHIK
CHAPTER 11

LOUIS A. TELERICO, DEBTOR-IN-POSSESSION
Plaintiff

v.

TREASURER, PORTAGE COUNTY, OHIO

and

BANK OF AMERICA, NA

and

STIFEL NICOLAUS & COMPANY, INC.

and

UNITED STATES OF AMERICA, INTERNAL
REVENUE SERVICE

and

OHIO DEPARTMENT OF TAXATION

and

DOLLAR BANK

and

FIRST NATIONAL BANK OF PENNSYLVANIA

and

ROBERT A. RANALLO

and

DENNIS GERISCH

and

JAMES MIRGLIOTTA

Defendants

ADVERSARY NO. 18-5008

**ANSWER OF DOLLAR BANK, FSB TO THE SECOND AMENDED ADVERSARY
COMPLAINT TO DETERMINE THE VALIDITY, PRIORITY OR
EXTENT OF A LIEN OR OTHER INTEREST IN PROPERTY; OBJECTING
TO PROOFS OF CLAIM; TO OBTAIN A DECLARATORY JUDGMENT
RELATING TO THE FOREGOING AND OTHER RELIEF**

NOW COMES Dollar Bank, Federal Savings Bank (hereinafter “DB”) and submits the following as its Answer to the Second Amended Adversary Complaint (the “Amended Complaint”) filed by Louis Telerico (the “Debtor”) pursuant to 28 U.S.C. §1334(b) and (d).

1. DB admits generally the allegations contained in Paragraphs 1 through 14 of Debtor's Second Amended Complaint insofar as said Paragraphs address the jurisdiction of this Court with reference to the matters stated in the Second Amended Complaint and with reference to the identity of the parties listed in said Paragraphs. DB admits the allegations of Paragraph 10 of the Second Amended Complaint.

2. DB denies for want of knowledge the allegations contained in Paragraphs 15 through 18 of the Second Amended Complaint, being without sufficient information to specifically admit or deny the allegations contained therein.

3. DB denies for want of knowledge the allegations contained in Paragraphs 19 through 32 of Debtor's Second Amended Complaint, being without sufficient information to specifically admit or deny the allegations contained therein.

4. DB denies for want of knowledge the allegations contained in Paragraphs 33 through 44 of Debtor's Second Amended Complaint, being without sufficient information to specifically admit or deny the allegations contained therein.

5. DB avers, with respect to the allegations of Paragraph 45, that it duly filed its Proof of Claim No. 18 on February 5, 2017 together with a statement attached thereto as Exhibit A, itemizing the amounts due including interest, expenses and attorney's fees required by Bankruptcy Rule 3001(c)(2)(A); and further attached thereto as Exhibit B a true and accurate copy of the Certificate of Judgment obtained by DB in the Portage County, Ohio Common Pleas Court, Case No. 2013-00130. The above-described Judgment remains unpaid, including per diem interest charges and attorney's fees calculated to February 5, 2017. No additional payments have been paid by Debtor since February 5, 2017.

6. DB denies for want of knowledge the allegations contained in Paragraphs 46 through 50 of Debtor's Second Amended Complaint, being without sufficient information to admit or deny the allegations contained therein.

WHEREFORE, having fully answered the Amended Complaint of the Debtor, DB requests from the Court such relief as it may be entitled with respect to the matters to be heard and determined as part of the within adversary proceedings.

Respectfully submitted,

/s/ Steven L. Wasserman

Steven L. Wasserman (0005828)

WESTON HURD LLP

1301 East 9th Street, Suite 1900

Cleveland, OH 44114

Phone: (216) 241-6602

Fax: (216) 621-8369

E-mail: SWasserman@westonhurd.com

Attorney for Dollar Bank, Federal Savings Bank

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed electronically on October 22, 2018. Notice was electronically transmitted via the Court's electronic filing system to the following parties who are listed on the Court's Electronic Mail Notice List:

- Frederic P. Schwieg, Esq., on behalf of Louis A. Telerico, Debtor-in-Possession
- Allison Manayan on behalf of Portage County Treasurer
- Stephen Franks, Esq., on behalf of Bank of America
- Todd A. Atkinson, Esq., on behalf of Stifel Nicolaus & Company, Inc.
- Internal Revenue Service – PRO SE
- Ohio Department of Taxation – PRO SE
- Michael J. Occhionero, Esq., on behalf of First National Bank of Pennsylvania
- Scott D. Fink, Esq., on behalf of Robert Ranallo and Dennis Gehrisch
- Byran J. Farkas, Esq., on behalf of James Mirgliotta

/s/ Steven L. Wasserman

Steven L. Wasserman (0005828)

Attorney for Dollar Bank, Federal Savings Bank